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TAGS: [PHUM](#) [PGOV](#) [SOCI](#) [KIRF](#) [KISL](#) [AG](#)
SUBJECT: AMBASSADOR'S DISCUSSION OF NEW RELIGIOUS LAW WITH
RELIGIOUS AFFAIRS MINISTER GHLAMALLAH

REF: ALGIERS 606

SUMMARY AND OVERVIEW

1. (SBU) During an April 15 meeting with Religious Affairs Minister Ghlamallah, Ambassador discussed U.S. concerns about Algeria's new law regulating non-Muslim worship, noting that it opened the door to arbitrary interpretations and restrictions, had been adopted without any consultation with affected groups, and would have to be mentioned in our upcoming, congressionally mandated annual Report on International Religious Freedom. The Minister reiterated Algeria's respect for the freedom of religion; predictably downplayed the new legislation as simply an effort to regulate non-Muslim sects, much as Islam itself had been regulated; and, in response to examples of activities Ambassador cited that might be deemed illegal under the new law, assured they would be permitted. The conversation, which was friendly but frank, took place in the context of a broader discussion about strengthening cooperation with the Religious Affairs ministry, possible Embassy participation in a ministry project involving the renovation of a historic mosque in Oran, and the importance of Muslim political and religious leaders stressing the core values of Islam in order to counter extremist ideologies that instrumentalize Islam for political purposes.

2. (U) During the conversation, Ambassador noted U.S. respect for Islam, our desire to counter the notion that we were somehow involved in a war against Islam, and our appreciation for President Bouteflika's having repeatedly stressed in public the peaceful, tolerant values of Islam and the need to counter those who would exploit Islam for political purposes.

Subsequent to the meeting, the Ministry issued a communique noting the GOA's respect for human rights and religious freedoms and "the special importance the GOA attaches to fighting extremism and wrongdoing under the cover of religion." The press covered the communique widely, helpfully noting the comments about U.S. respect for Islam as a religion of peace, love, and tolerance and our interest in participating in restoration projects. The Arabic press, obviously backgrounded, reported that the Ambassador had expressed "reservations" about the new legislation, but without providing details. (End Summary and Overview)

MINISTER: ISLAM IS REGULATED BY LAW,
NON-MUSLIM GROUPS SHOULD BE TOO

13. (SBU) Ambassador, accompanied by A/PAO, called on Religious Affairs Minister Ghlamallah April 15 to discuss the Ministry's interest in expanded cooperation; the importance of religious moderates emphasizing the peaceful, tolerant values of Islam; and U.S. concerns about new Algerian legislation regulating non-Muslim worship. Invited to comment on the new legislation, the Minister predictably and unconvincingly argued the legislation should be of no concern. Algeria was a largely Islamic country with only small minorities practicing other religions, primarily Christianity. The practice of Islam was regulated by law and the new legislation simply sought to regulate other religions in similar fashion. Ghlamallah reaffirmed Algerian constitutional protections for the freedom of worship and conscience but argued that Christians were regularly gathering in private homes and other establishments outside the umbrella of an established church. He questioned whether Christians could "continue to do as they wish in ignorance of the legal regulations," adding that Christians and other non-Muslims needed to observe the law by worshipping publicly and not clandestinely.

AMB: LEGISLATION IS DISCRIMINATORY AND
OPENS THE DOOR TO ARBITRARY INTERPRETATION

13. (SBU) In response, Ambassador expressed concern about the impact of the law, not only in a Muslim-Christian context but in a Christian-Christian context. As written, the legislation opened the door to very arbitrary interpretations that could put innocent Christians, worshipping with other Christians, in jeopardy. While claiming in Article 4 there should be no discrimination based on religious affiliation, in fact, the way the law was written was very discriminatory. A Muslim could pray anywhere, in his store or in his home,

when prayer time came. But, according to the law, a Christian could only worship in a place approved by the government. Similarly, the law would make criminals out of Sub-Saharan African Christians, who while traveling through a remote oasis town where there is no church encounter a traveling priest and ask for a moment of prayer with him. Did the injunction about praying only in approved places mean an Algerian Christian family could not pray in its own home? Did the presence of visiting Muslim relatives of that family entail a violation of the provision against engaging in activities that "shake the faith" of a Muslim? What if one of the guests at the Ambassador's residence wandered into the study and happened to pick up a Bible from the shelf and glance at a few pages? Was the Ambassador shaking the faith of a Muslim? And what about the Embassy's annual holiday reception for our Algerian employees, where the children wanted to have their pictures taken in front of the Christmas tree?

14. (SBU) To each question, the Minister replied with an emphatic "no." It was not at all the intention of the law to prevent those kinds of activities. The law was designed to require non-Muslim religious groups who regularly met to request authorization for their congregation to meet at a specific location. He claimed, furthermore, that such groups could meet unimpeded pending legal authorization, but needed to abide by all regulations. The Ambassador replied each time, with equal emphasis, that the Minister's interpretation of the legislature was very reasonable. But what was to prevent someone less reasonable and tolerant from interpreting the legislation in a much more radical and restrictive way? That was the danger. By creating uncertainty and allowing for widely varying interpretations and implementation, it put people innocently practicing their religious faith in jeopardy. Ambassador also pointed out that the law had been adopted without any consultation whatsoever with affected groups.

MULTI-FAITH COMMISSION WILL OVERSEE
IMPLEMENTATION OF THE NEW LEGISLATION

15. (SBU) Ghlamallah and his staff responded that Articles 8 and 9 of the legislation provided for the participation of non-Muslim groups in the implementation of the legislation. (Article 8 provides that "Religious gatherings take place in structures; they are public and subject to prior declaration." The conditions and terms of the application of the present article are set by statutory means. Article 9 provides for "a national commission of religious worship" created by the Religious Affairs Minister, which would have responsibility for monitoring respect for the free exercise of religious worship, handling concerns related to religious worship, and giving prior approval for the formation of associations of a religious character. According to the same article, the composition of the commission and the terms of its functioning are set by statutory means.) Under these provisions, Ghlamallah said, the commission would include representatives of "established Christian" organizations and specifically identified the Catholic, Anglican, and Protestant churches. He stressed that he and his staff had frequently met with representatives of these churches and asked them to submit dossiers outlining their ideas as to how the commission should be designed and how it should fulfill its duties. For example, the Anglican Church was assured that its pastors could serve visiting Africans. The Ministry was also taking suggestions from the Protestant Church in Bejaia in fleshing out the ordinance. Ghlamallah claimed that a final decision regarding the religious practice of non-Muslims had not been made and that it would be finalized by the multi-faith commission.

MINISTER NOT PERTURBED BY MENTION OF NEW LAW
IN OUR INTERNATIONAL RELIGIOUS FREEDOM REPORT

16. (SBU) Ambassador advised that the Department was legally required by Congress to prepare an annual Report on International Religious Freedom. However benign the legislation might appear in Algerian eyes, from afar and to a foreign observer, it looked like a derogation of religious freedom and we would be obliged to report it as such in our upcoming report this May. Clearly suggesting his belief that the new legislature did not/not restrict religious freedoms, he indicated he had no problem with our including mention of

the new legislature in our report. Indeed, he added, if Christians complained of persecution or restrictions on their ability to worship, those complaints must be reported as well! As Minister, he would likely be aware of such problem if they did arise.

ERDMAN